

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael CORTOPASSI et al.

Serial No.: 10/672,382

Filed: September 25, 2003

For: METHOD AND APPARATUS
FOR USING PRESSURE
INFORMATION FOR IMPROVED
COMPUTER CONTROLLED
HANDWRITING RECOGNITION,
DATA ENTRY, AND USER
AUTHENTICATION

Customer No.:	49,637
Group Art Unit:	2624
Confirmation No.:	8539
Examiner:	Lu, Tom Y.
Docket No.:	2936.ACCES.ASA.CON

**LETTER REQUESTING WITHDRAWAL OF IMPROPER
NOTICE OF ABANDONMENT
UNDER MPEP 711.03 AND 37 C.F.R. §1.137**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION/PETITION

- Applicants hereby request reconsideration, and withdrawal, of the holding of abandonment set forth in the notice dated August 26, 2008, for failure to file a timely and proper reply to an Office Action dated February 20, 2008. The request is being filed promptly after receipt of such notice.

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via electronic filing (EFS-Web) on the date shown below to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 16, 2008
Date of Transmission

/Reena Kuyper/
Reena Kuyper

RESPONSE TO OFFICE ACTION TIMELY SUBMITTED

2. The response to the outstanding final office action was mailed to the U.S. Patent & Trademark Office, along with the appropriate Transmittal Form, the Request for Continued Examination, Petition for Extension, and Information Disclosure Statement on August 20, 2008. A copy of the Preliminary Amendment and Response to Final Office Action and Information Disclosure Statement, as mailed, is attached (*Exhibit B*). A stamped return postcard (*Exhibit A*), acknowledging receipt by the Patent Office is also attached. Also, a review of the U.S. Patent & Trademark Office's PAIR Image File Wrapper reveals that the above documents were scanned in and the filing fees were charged to our Deposit Account. If a Petition for Revival under 1.137(b) is required, please consider this a petition therefor.

FEE

3. Applicants believe that no fee is necessary at this time. However, if any fees are associated with this request, the commissioner is authorized to charge the necessary amount from our Deposit Account No. **50-3102**. Should any of the personnel handling this matter at the U.S. Patent & Trademark Office have any questions about this submission, he or she is invited to contact the undersigned to expedite resolution thereof.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: September 16, 2008

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EXHIBIT A

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

PRELIMINARY AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION SUBMITTED WITH RCE

Applicants	Michael Cortopassi, et al.
Serial No.:	10/672,382
Filed:	September 25, 2003
For:	METHOD AND APPARATUS FOR USING PRESSURE INFORMATION FOR IMPROVED COMPUTER CONTROLLED HANDWRITING RECOGNITION, DATA ENTRY AND USER AUTHENTICATION
Attorney(s):	Reena Kuyper
Docket No.:	2936.ACCESS.ASA.CON
Date of Deposit:	August 20, 2008
Enclosures:	Transmittal Form; Fee Transmittal; Petition for Extension of Time; Request for Continued Examination; Information Disclosure Statement; PTO-1449; Preliminary Amendment and Response to Final Office Action; Return Postcard



EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael CORTOPASSI et al.

Serial No.: 10/672,382

Filed: September 25, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION
SUBMITTED WITH REQUEST FOR CONTINUED CONSIDERATION ("RCE")

Dear Sir/Madam:

Prior to examination of this application and in response to the Office Action dated February 20, 2008, please amend the application as shown here. Reconsideration of this application is respectfully requested in view of the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

IN THE CLAIMS:

Please amend the claims as indicated. A complete set of the claims is included below, reflecting added subject matter (*underlining*) and deleted subject matter (*strikethrough*), as well as the current status of each claim. This listing of claims will replace all prior versions, and listings, of claims in the application:

1-17. (Canceled)

18. (Currently Amended) A method of recognizing ~~handwriting-based~~ stroke-based data entry comprising:

- a) accessing spatial stroke data and pressure data captured by a digitizer of a computer system and representing said user-drawn stroke wherein respective pressure data is associated with respective spatial data;
- b) storing said spatial stroke data and pressure data into a computer memory wherein pressure data of a first range can represents ~~an object of~~ a first display object attribute and pressure data of a second range can represents ~~an object of~~ a second display object attribute;
- c) determining ~~[[an]]~~ a user-selectable object display attribute, based on where said attribute is modulated by said pressure data;
- d) drawing a representation of said user-drawn stroke on a display screen of said computer system simultaneously with said spatial stroke data being accessed by said digitizer wherein said representation of said user-drawn stroke is drawn with said object display attribute as determined at said c); and
- e) repeating said a) through said d) until said stroke is complete;
wherein the object display attribute.

19. (Currently Amended) A method as described in Claim 18 wherein said first display object attribute is a first line width and wherein said second display object attribute is a second line width.

20. (Original) A method as described in Claim 18 wherein said stroke is a line.

21. (Original) A method as described in Claim 18 wherein said computer system is a palm sized computer system.

22. (Original) A method as described in Claim 18 wherein said computer system is a portable computer system.

23. (Original) A method as described in Claim 18 wherein said digitizer is separate in area from said display screen.

24-28. (Canceled)

29. (Currently Amended) A secure ~~handwriting-based~~ stroke-based data entry recognition system comprising:

means for accessing spatial stroke data and pressure data captured by a digitizer of a computer system and representing said user-drawn stroke wherein respective pressure data is associated with respective spatial data;

means for storing said spatial stroke data and pressure data into a computer memory wherein pressure data of a first range can represents ~~an object of a first display object~~ attribute and pressure data of a second range can represents ~~an object of a second display object~~ attribute;

means for determining ~~[[an]]~~ a user-selectable object display attribute, ~~based on where~~ said attribute is modulated by said pressure data; and

means for drawing a representation of said user-drawn stroke on a display screen of said computer system simultaneously with said spatial stroke data being accessed by said digitizer wherein said representation of said user-drawn stroke is drawn with said object ~~display~~ attribute as determined at said means for determining an object ~~display~~ attribute.

30. (Currently Amended) The secure handwriting-based data entry recognition system as described in Claim 29 wherein said first ~~display object~~ attribute is a first line width and wherein said second ~~display object~~ attribute is a second line width.

31. (Previously Presented) The secure handwriting-based data entry recognition system as described in Claim 29 wherein said stroke is a line.

32. (Previously Presented) The secure handwriting-based data entry recognition system as described in Claim 29 wherein said computer system is a palm sized computer system.

33. (Previously Presented) The secure handwriting-based data entry recognition system as described in Claim 29 wherein said computer system is a portable computer system.

34. (Previously Presented) The secure handwriting-based data entry recognition system as described in Claim 29 wherein said digitizer is separate in area from said display screen.

35. (Currently Amended) A method of recognizing shape entry, said method comprising the steps of:

accessing spatial stroke data and pressure data captured by a digitizer wherein respective pressure data is associated with respective spatial stroke data;

storing said spatial stroke data and pressure data into a computer memory;

building a set of vectors from the spatial stroke data and associated pressure data;

delineating sets of vectors based on where and when the stylus is placed onto the surface and lifted from the surface, where data is only collected when the stylus is contacting the surface;

performing shape recognition by applying a mathematical model to the set of vectors to identify a recognized shape with a shape set; and

displaying said recognized shape on a display screen of a computer system.

36. (Canceled)

37. (Previously Presented) The method of claim 35 wherein said shape set includes a circle.

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38-47. (Canceled)

48. (Previously Presented) The method of claim 35, wherein the mathematical model includes a neural network.

49. (Previously Presented) The method of claim 48, wherein the neural network is a radial basis function network.

50. (New) The method of claim 18, where the stroke and pressure data is utilizable by any application or routine running on said computing platform.

51. (New) The method of claim 29, where the stroke and pressure data is utilizable by any application or routine running on said computing platform.

52. (New) The method of claim 35, where the stroke and pressure data is utilizable by any application or routine running on said computing platform.

REMARKS

Claims 39, 40 and 41 have been canceled (without prejudice), and claims 50, 51 and 52 have been added. Therefore, claims 18-23, 29-35, 37 and 48-52 are currently pending. Claims 18, 19, 29, 30 and 35 have been amended herein. Applicants respectfully request reconsideration as to the patentability of the pending claims in view of the foregoing amendments and following discussion.

§ 103 Rejections

Claims 18-23 and 29-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Thornburg et al. ('Thornburg') (U.S. Patent No. 4,318,096) in view of Sites ('Sites') (U.S. Patent No. 6,408,092).

Independent claim 18, as previously amended, recites the step of determining "a user-selectable" object display attribute based on said pressure data. The Examiner asserts the argument indicated in parenthesis with respect to the claim recitation indicated below:

determining a user-selectable object display attribute based on said pressure data (The examiner notes the pressure ranges in the converter to output are determined/selected in accordance to the user's preference to the line width, hence the line width, the claimed "object display attribute", are user-selectable. e.g. the user selects pressure range 0-50 to be one line width).

Applicants respectfully submit that the Examiner is not applying the correct interpretation to element "c" of Claim 18. Element "c" of claim 18 defines modification of the attribute based on application of an amount of pressure that is user selectable. Element "c" of claim 18 does not define that the user selectable aspect is the modification of the attribute itself. Applicants respectfully provide the following quote from the specification to support this interpretation urged by Applicants:

[T]he present invention allows the user to utilize pressure on the digitizer to select certain display attributes within the graphics program rather than use the icons 750. This can be applied to any application program that allows character set selection or visual attribute selection, such as the selection between character

sizes, character fonts, character attributes (italic, bold, superscript, color selection, shadowing, etc.).

Applicants have amended the claim to emphasize this intended interpretation of element “c” of the claim. Applicants respectfully submit that a combination of Thornberg and Sites together does not teach this aspect of the claims, therefore, the combination does not render obvious at the very least this feature of independent claim 18.

Independent claim 29, as previously amended, recites the step of determining “a user-selectable” object display attribute based on “said pressure data.” The Examiner makes the same argument with respect to claim 29 as with respect to claim 18. Claim 29 is distinct for the same reasons urged above with respect to claim 18.

The Examiner is respectfully request to withdraw the rejections of independent claims 18 and 29 and their dependent claims 20-23 and 30-34 under 35 U.S.C. §103(a) based on a combination of the references Thornburg and Sites.

Specifically, Claims 35-38 and 48-49 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fututsugi et al. (‘Fututsugi’) (U.S. Patent No. 5,533,141) in view of Wirtz. (‘Wirtz’) (U.S. Patent No. 5,730,468).

Regarding Claim 35 the Examiner asserts that it would have been obvious to one skilled in the art to combine the two pieces of prior art. The Examiner asserts that the references “are combinable because they are in the same field of endeavor, i.e. signature verification system.” Applicants respectfully contend that the two references are in fact not in the same field of endeavor. To the contrary, Fututsugi is in the field of endeavor of handwriting recognition (synonymous with penmanship/handwriting interpretation), whereas Writz is in the “signature verification system” field of endeavor. To support this contention, Applicants’ respectfully direct the Examiner’s attention to the following passage from Fututsugi, which demonstrates Fututsugi’s field of endeavor:

According to a second aspect of the present invention, there is provided a processing system with pen pointing device comprising the above-mentioned portable pen pointing device and a processing system body for acquiring information for interpretation of penmanship/handwriting on the basis of the user's specific information supplied from the portable pen pointing device.

Users' handwriting is explicitly not used for verification of the user, but rather simply to strengthen the accuracy of character recognition.

Further, Applicants contend that the verification system in Wirtz differentiates from a significant factor in the present application. It should first be noted that though the present invention is not limited to portable computing devices, it is however, specifically designed with portable computing devices in mind. When considering portable computing platforms, it is important to focus on certain aspects, particularly performance when there are limited resources. The present invention delineates sets of vectors based on when a stylus is placed on the surface of the tactile device and when it is lifted. The stylus does not collect data when the stylus is not present on the device. This is supported in the present specification by Figures 13A and 13B and in the following text from the specification indicated below:

A handwriting recognition process 600 using pressure data, spatial stroke data, a volume 410 and a radial projection is shown in Figure 13A. The process 600 commences when the stylus 80 or pen is detected as touching the digitizer, step 605. During the user-drawn stroke, steps 610, 615 and 620 capture the spatial stroke data and associated pressure data and store this information in memory. This continues until the stylus 80 is detected as no longer making contact with the digitizer, step 625.

By only collecting data for points where the stylus is present on the surface the memory and processing requirements are greatly reduced from the implementation represented in Wirtz where the pen is continually tracked even when above the surface as is clearly taught by Wirtz (see exemplary text below):

This character string represents e.g., a signature and is divided into individual strokes 1 to 11. Here it should be noted that the strokes can be divided into two subclasses: the nearstrokes. i.e. strokes that are not written. and the writing strokes. i.e., strokes in which the stylus touches the paper or the writing surface.

This implies that the movement of the stylus when it is not in contact with the surface is classified as a stroke. With the Wirtz technique, accuracy of verification is at the expense of additional hardware constraints.

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Applicants respectfully request the Examiner to withdraw the rejection of independent claim 35 and its dependent claims 36-38 and 48-49 under 35 U.S.C. §103(a) based on a combination of Fututsugi and Wirtz.

New Claims

New claims 50, 51 and 52 depend from amended claims 18, 29 and 35, respectively, and are therefore patentable for at least the same reasons urged with respect to the independent claims from which they depend.

Conclusion

Favorable consideration of the claims here is respectfully requested. In the event any issues remain for the Examiner to resolve, the Examiner is invited to telephone the undersigned representative if a telephone or personal interview may expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: August 20, 2008

By: /Reena Kuyper/
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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the Applicants' duty of disclosure under 37 CFR § 1.56, 37 CFR §§ 1.97 and 1.98, the references listed in the attached forms PTO-1449 were of record in a pending application of the same assignee and are brought to the attention of the Examiner as they may be of interest to the subject matter disclosed in this application. Copies of the listed references are enclosed, except for U.S. patents or published applications.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR § 1.56 and the submission thereof by Applicants shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

This Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR §1.97(b)(4), that is, before the mailing of a first Office action after the filing of a request for continued examination under § 1.114. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under §1.97(c) and is further authorized to charge any fee required by its filing to Berry & Associates P.C.'s Deposit Account No. **50-3102**.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: August 20, 2008

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FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCK NO. 2936.ACCESS.AsA.CON	SERIAL NO. 10/672,382
APPLICANT: Michael Cortopassi, et al.		
FILING DATE: September 25, 2003		GROUP: 2624

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		5,062,143	02/1990	Schmitt	382	36	-----
		5,128,672	10/1990	Kaehler	341	23	-----
		5,128,672	07/1992	Kaehler	341	23	-----
		5,479,536	04/1994	Comerford	382	230	-----
		5,724,449	06/1995	Comerford	382	230	-----
		5,724,457	06/1995	Fukushima	382	311	-----
		5,734,749	12/1994	Yamanda et al.	382	187	-----
		5,734,750	03/1998	Arai et al.	382	202	-----
		5,818,963	10/1998	Murdock et al.	382	187	-----
		5,864,635	01/1999	Zetts et al.	382	187	-----
		5,889,888	03/1999	Marianetti II et al.	382	187	-----
		5,896,321	04/1999	Miller et al.	365	189.01	-----
		5,900,875	05/1999	Haitani et al.	345	349	-----
		5,940,532	08/1999	Tanaka	382	185	-----
		5,963,666	10/1999	Fujisaki et al.	382	187	-----
		6,021,218	02/2000	Capps et al.	382	187	-----
		6,081,621	06/2000	Ackner	382	216	-----
		6,212,299	04/2001	Yuge	382	231	-----

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	